



General Assembly

February Session, 2010

Raised Bill No. 233

LCO No. 1072

01072_____AGE

Referred to Committee on Select Committee on Aging

Introduced by:
(AGE)

***AN ACT CONCERNING THE DISCHARGE OF PATIENTS FOR
NONPAYMENT OF APPLIED INCOME.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (b) of section 19a-535 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2010*):

4 (b) A facility shall not transfer or discharge a patient from the
5 facility [except] unless (1) the transfer or discharge is necessary to meet
6 the welfare of the patient which cannot be met in the facility, [or
7 unless] (2) the patient no longer needs the services of the facility due to
8 improved health, [or] (3) the health or safety of individuals in the
9 facility is endangered, [or] (4) in the case of a self-pay patient, for his
10 nonpayment or arrearage of more than fifteen days of the per diem
11 facility room rate, [or] (5) the facility ceases to operate, or (6) to the
12 extent permitted by federal law, the patient has failed to pay to the
13 facility the amount of applied income determined in accordance with
14 the methodology established by the Department of Social Services for
15 recipients of medical assistance for more than sixty days. In each case
16 the basis for transfer or discharge shall be documented in the patient's

17 medical record by a physician. In each case where the welfare, health
18 or safety of the patient is concerned the documentation shall be by the
19 patient's physician. A facility which is part of a continuing care facility
20 which guarantees life care for its residents, as defined in subsection (b)
21 of section 17b-354, may transfer or discharge (1) a resident self-pay
22 patient who has intentionally transferred assets in a sum which will
23 render the patient unable to pay the costs of facility care in accordance
24 with the contract between the resident and the facility or (2) a
25 nonresident self-pay patient who has intentionally transferred assets in
26 a sum which will render the patient unable to pay the costs of a total of
27 forty-two months of facility care from the date of initial admission to
28 the facility.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	October 1, 2010	19a-535(b)
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Statement of Purpose:

To allow nursing home facilities to transfer or discharge patients who fail to pay applied income to the facility for more than sixty days.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]